

# SENATE RECORD VOTE ANALYSIS

104th Congress  
1st Session

Vote No. 362

August 4, 1995, 3:34 p.m.  
Page S-11389 Temp. Record

## DEFENSE AUTHORIZATION/Civilian Sporting Events

**SUBJECT:** National Defense Authorization Act for fiscal year 1996 . . . S. 1026. Coverdell motion to table the McCain amendment No. 2116.

### ACTION: MOTION TO TABLE AGREED TO, 80-20

**SYNOPSIS:** As reported, S. 1026, the National Defense Authorization Act for fiscal year 1996, will authorize \$264.7 billion in total budget authority for the Department of Defense, national security programs of the Department of Energy, civil defense, and military construction accounts. This amount is \$7 billion more than requested (\$5.3 billion more for procurement and \$1.7 billion more for research and development), and is \$2.6 billion less than the amount approved in the House-passed bill.

**The McCain amendment** would require the Defense Department to enter into reimbursement agreements before it directly or indirectly spent funds in support of civilian sporting events, though such reimbursement would not be required for unprofitable events nor would it be required to the extent that it would exceed profits.

Debate was limited by unanimous consent. Following debate, Senator Coverdell moved to table the McCain amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

**Those favoring** the motion to table contended:

This amendment in a less objectionable form was offered last year and was soundly rejected. We trust it will suffer the same fate this year. The McCain amendment this year would demand up to 100 percent of the net profits of any sporting event to which the Defense Department gave security assistance. Also, it would not let the Defense Department give any assistance to any event until such time as it had entered into a reimbursement agreement with the sponsors of that event.

For the Atlanta Olympics next year the McCain amendment would pose enormous problems. The Defense Department is helping with that event by providing physical security systems for athletic villages, an entire communications grid, command coordination, site surveys, aerial visitations, and other services. Our colleagues have derisively suggested that the Defense Department's role is

(See other side)

YEAS (80)				NAYS (20)		NOT VOTING (0)	
Republican (38 or 70%)		Democrats (42 or 91%)		Republicans (16 or 30%)	Democrats (4 or 9%)	Republicans (0)	Democrats (0)
Bennett	Helms	Akaka	Inouye	Abraham	Feingold		
Bond	Hutchison	Baucus	Johnston	Ashcroft	Glenn		
Burns	Kassebaum	Biden	Kennedy	Brown	Kohl		
Campbell	Kempthorne	Bingaman	Kerrey	Coats	Lautenberg		
Chafee	Lott	Boxer	Kerry	Grams			
Cochran	Mack	Bradley	Leahy	Gregg			
Cohen	McConnell	Breaux	Levin	Hatfield			
Coverdell	Murkowski	Bryan	Lieberman	Inhofe			
Craig	Packwood	Bumpers	Mikulski	Jeffords			
D'Amato	Pressler	Byrd	Moseley-Braun	Kyl			
DeWine	Roth	Conrad	Moynihan	Lugar			
Dole	Santorum	Daschle	Murray	McCain			
Domenici	Shelby	Dodd	Nunn	Nickles			
Faircloth	Simpson	Dorgan	Pell	Smith			
Frist	Snowe	Exon	Pryor	Specter			
Gorton	Stevens	Feinstein	Reid	Thomas			
Gramm	Thompson	Ford	Robb				
Grassley	Thurmond	Graham	Rockefeller				
Hatch	Warner	Harkin	Sarbanes				
		Heflin	Simon				
		Hollings	Wellstone				

#### EXPLANATION OF ABSENCE:

- 1—Official Buisiness
- 2—Necessarily Absent
- 3—Illness
- 4—Other

#### SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

putting up fences for free; the reality is that it is providing the expert security support that only it is capable of giving. The 1996 Olympic Games will have 195 countries, 100 heads of state, 15,000 athletes and officials, 15,000 media representatives, 25,000 Olympic family members and VIP's, 12 million tickets, 350,000 visitors per day, 3,000 hours of television coverage, and 3 billion viewers around the world. If we pass this amendment so close to the Atlanta Games, security preparations will grind to a halt as the Defense Department sends in its lawyers and accountants to negotiate with the 43 separate government jurisdictions in the 5 States involved in the games on what services it would provide and at what price. Due to time constraints, passing this requirement this close to the games would be dangerous.

It would also paradoxically cost the Defense Department money, at least as far as the Atlanta Games go. The organizers of those games have had as their policy from day one that every dime of profit would be rolled right back into the games. The local communities will benefit from the economic activity and the increased world exposure, but the organizers are running this as a nonprofit enterprise. The Defense Department would negotiate reimbursements it would never receive under the McCain amendment, because the McCain amendment only provides for reimbursements from profits. Even worse, we inform our colleagues that the Defense Department already has some reimbursement agreements with the organizers for services it is providing that it does not believe are security related. Under this amendment, those agreements would become null and void.

Many of us who oppose the McCain amendment believe that when America hosts games like the Olympics it is on-stage and it is responsible for safeguarding all participants and attendees. The tragedy at the 1972 Munich Games, when the Israeli team was attacked, forever demonstrated the attractiveness of these games as a terrorist target. We believe that it is not just Atlanta's responsibility to provide safety--the Defense Department, with its unique expertise, has a responsibility to assist. Other opponents of the McCain amendment agree in principle that the Defense Department should be reimbursed for helping civilian sporting events, but believe that it is not fair to demand payment this late in the game for the Atlanta Olympics, and also believe that the formula for determining reimbursement in the McCain amendment is unworkable. Together, we are certain that we have sufficient votes to table this amendment.

**Those opposing the motion to table contended:**

Civilian sporting events like the Olympics that generate huge profits should not be allowed to use the Defense Department like a cash cow. If the Defense Department provides security advice or other assistance, it should be reimbursed. We do not provide money to the Defense Department for it to put up security fences, provide traffic control, or engage in any other activity at sporting events. We have nothing against fun and games, but the Defense Department's purpose is to defend national security interests. It is not an internal security or police force. Using its funds for such purposes is a misuse of scarce defense funds. In an era when our military forces are being gutted, we cannot afford to use them for domestic police functions.

According to Peter Ueberroth, the Los Angeles Olympics raked in \$222 million. During that and every other Olympics the organizers have had no problem tallying up the amount of profit they made. However, our colleagues inform us that it would be too difficult to tally up the amount of profit or loss from the Atlanta Games. They say there is too much leeway in deciding which costs to count and which receipts to count. According to them, depending on the accountant, the amount of profit or loss estimated from the Los Angeles Olympics will vary by as much as \$100 million. Be that as it may, those costs and receipts are negotiable. The McCain amendment would require a contract before the Defense Department would provide services; that contract would of course specify precise terms for calculating profit and loss.

Or next point is that the McCain amendment would only demand reimbursement if an event made a profit. If the Atlanta Games made \$200 million, and the Defense Department provided \$50 million in services, it would be reimbursed \$50 million. If the Atlanta Games did not make a profit, the Defense Department would still provide services but it would not be repaid. This fact should please our colleagues, who insist that the Atlanta Games will not make any money. If it is really a nonprofit event like they claim, they should happily sign on as cosponsors to the McCain amendment.

In all candor, we expect that the Atlanta Games will generate a huge profit. The Defense Department should not have to increase that huge profit by providing free services. Peter Ueberroth said as much in "Making it Happen," his book on the Los Angeles Olympics: "There was always concern that someone could stand up in Congress and demand that the committee reimburse the Federal Government its security and other expenditures on the games. This ran at least \$30 million for security alone and could have been estimated as high as \$68 million. I believed then as I do now that there are many important programs much more deserving of Government support than a sports event." We agree, and we are standing up in Congress to demand payment. We urge our colleagues to join us.